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11044 U.S. PTO

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Attorney Docket P1381R1D1

PATENT

CERTIFICATION UNDER 37 CFR 1.10

EL 599 584 754 US: Express Mail Number May 10, 2001 Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Teri Renshaw
Teri Renshaw

11002 U.S. PTO
09/854208
05/10/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Jian Chen, Princeton, NJ
Ellen Filvaroff, San Francisco, CA
Audrey Goddard, San Francisco, CA
Austin Gurney, Belmont, CA
Hanzhong Li, San Mateo, CA
William I. Wood, Hillsborough, CA

Title: IL-17 HOMOLOGOUS POLYPEPTIDES AND THERAPEUTIC USES THEREOF

1. Type of Application

- [] This application is for an original, non-provisional application.
- [] This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- [X] This is a [] continuation-in-part [] continuation [X] divisional application claiming priority to application Serial Number 09/311,832 filed May 14, 1999, 60/085,579 filed May 15, 1998 and 60/113,621 filed December 23, 1998, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

92 pages of specification
6 pages of claims
1 page of abstract
23 pages of sequence listing
19 sheet(s) of drawings
☐ formal ☒ informal

09/854208

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)

☐ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

☒ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

☐ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)

☒ The prior application is assigned of record to Genentech, Inc. (Reel 010367/Frame 0834)

5. Amendments (for continuation and divisional applications)

☐ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

☒ Amend the specification by inserting before the first line the sentence:

--This is a

☐ non-provisional application

☐ continuation

☒ divisional

☐ continuation-in-part

of application

☒ Serial No. 09/311,832 filed on May 14, 1999, which application is incorporated herein by reference and to which application priority is claimed under 35 USC §120. --

☐ International Application _ filed on _ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--

X provisional application Serial Numbers 60/085,579 filed May 15, 1998, and 60/113,621 filed December 23, 1998, the entire disclosure of which is hereby incorporated by reference and to which applications priority is claimed under 35 USC §119.--.

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	17	- 20 =	0	X \$18.00	\$0.00
Independent Claims	4	- 3 =	1	X \$80.00	\$80.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$790.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$790.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of Sequence Listing on paper and electronic form and Certificate Re: Sequence Listing transmittal.
- ☐ A new Power of Attorney or authorization of agent.
- ☒ Other: Post card.

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
- _____ A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Elizabeth M. Barnes, Ph.D.

Respectfully submitted,
GENENTECH, INC.

Date: May 10, 2001

By:

Elizabeth M. Barnes, Ph.D.
Reg. No. 35,059
Telephone No. (650) 225-4563



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PATENT TRADEMARK OFFICE